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DECLARATION AND POWER OF ATTORNEY FOR REISSUE PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

CAMERA HAVING AN ADAPTIVE GAIN CONTROL

the specification of which is attached hereto and was issued as U.S. Patent No. 5,712,682 (the "original patent") from application number 770,986 filed December 2, 1996 (the "original application").

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the filing of the original application, that the same was not in public use or on sale in the United States of America more than one year prior to the filing of the original application, and that the invention has not been patented or made the subject of any inventor's certificate issued before the date of the original application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to the original application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in title 37, Code of Federal Regulations, Section 1.56.

I verily believe the original patent to be wholly or partially inoperative:

by reason that the patent claims less than I had a right to claim in the patent. The claim or claims will be partly inoperative in failing to protect against infringement of all embodiments of my invention. Thus, I hereby indicate a desire to seek broadened claims as indicated in the Preliminary Amendment filed January 26, 2000. I also hereby affirm that this reissue application was filed diligently upon discovery of the errors indicated below. The errors arose in the prosecution of the original application which resulted in the issuance of the patent. The attorney prosecuting the original application failed to appreciate the scope of the invention, and thus, limited the claims as indicated below. The error arose without any deceptive intention on my part. In addition, all errors that arose up until the filing of this declaration were without any deceptive intention on my part.

Specifically, in claim 1, the phrases "camera" (column 9, line 58), "a sensor configured to capture an image and generate a sensor output signal representing the captured image" (column 9, line 59), "coupled to receive the sensor output signal" (column 9, line 61).

Attorney Docket No.: 42P3294CR

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"configured to apply multiple gain level to the sensor output signal" (column 9, line 62), and "configured to provide a control signal to the amplifier" (column 9, line 65) are individually not necessary to distinguish claim 1 from the prior art or to make claim 1 definite.

Specifically, in claim 11, the phrases "for capturing an image, comprising a camera" (column 10, line 27), "a sensor configured to capture the image and generate a sensor output signal representing the captured image" (column 10, line 29), "coupled to receive the sensor output signal" (column 10, line 32), "controls to apply multiple gain level to the sensor output signal" (column 10, line 33), and "configured to receive the sensor output signal, and wherein the processor is configured to provide a control signal to the amplifier" (column 10, line 35) are individually not necessary to distinguish claim 11 from the prior art or to make claim 11 definite.

Specifically, in claim 17, the phrases "for enhancing the dynamic range of a sensor output signal representing a captured image" (column 10, line 56), "the sensor output signal in response to gain settings contained in a gain map" (column 10, line 59), and "updating the gain settings contained in the gain map in response to changes in the sensor output signal" (column 10, line 63) are individually not necessary to distinguish claim 17 from the prior art or to make claim 17 definite.

I hereby appoint the practitioners associated with Customer Number: 45209 as my respective patent attorneys and patent agents, with full power and substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

Direct all correspondence to: Customer Number **45209** or Correspondence address below

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements made jeopardize the validity of the application or any patent issued thereon.

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Attorney Docket No.: 42P3294CR

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